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May 26, 2023

**VIA ECF**

The Hon. Gabriel W. Gorenstein, U.S.M.J.  
United States District Court, Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

**MEMORANDUM ENDORSED**

Re: *Martinez Montoya v. Havana Central NY 2, LLC et al*  
**Case No.: 1:23-cv-00111-JLR-GWG**

Dear Honorable Judge Magistrate Gorenstein:

This law firm represents Plaintiff Senon Martinez Montoya (the “Plaintiff”) in the above-referenced matter.

Pursuant to Your Honor’s Individual Motion Practice Rules 1(E)<sup>1</sup>, this letter respectfully serves to request an adjournment of the June 1, 2023 telephonic conference to one of the following proposed dates:

1. Tuesday, May 30, 2023, anytime between 1:00 p.m. and 5:00 p.m.; or
2. Wednesday, May 31, 2023, anytime before 12:00 p.m.

The basis of this request is that the undersigned will be traveling overseas from June 1, 2023, to, through and including, June 17, 2023, and will have extremely limited availability during this time.

This is the first request of its kind, and is made on consent of counsel for Defendants Havana Central NY 2, LLC and Jeremy Merrin (together, the “Defendants”).

Thank you, in advance, for your time and consideration.

Respectfully submitted,

**LEVIN-EPSTEIN & ASSOCIATES, P.C.**

By: /s/ Jason Mizrahi

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Denied. The Court has other matters scheduled during the proposed times. In addition, this application is denied for failure to comply with paragraph 1.F of the Court’s Individual Practices.

So Ordered.

  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge

May 30, 2023

<sup>1</sup> The undersigned wishes to apologize for the slight delay in bringing the instant application.